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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

RIGHTHAVEN LLC, a Nevada limited-
liability company,

Plaintiff,

v.

LARRY SCOTT, an individual,

Defendant.

Case No.: 2:10-cv-01685

**COMPLAINT AND DEMAND
FOR JURY TRIAL**

Righthaven LLC (“Righthaven”) complains as follows against Larry Scott (“Mr. Scott”) on information and belief:

NATURE OF ACTION

1. This is an action for copyright infringement pursuant to 17 U.S.C. § 501.

PARTIES

2. Righthaven is, and has been at all times relevant to this lawsuit, a Nevada limited-liability company with its principal place of business in Nevada.

1 14. At all times relevant to this lawsuit, Mr. Scott knew that the Infringement was and
2 is of specific interest to Nevada residents.

3 15. Mr. Scott's display of the Infringement was and is purposefully directed at
4 Nevada residents.

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7 **VENUE**

8 16. The United States District Court for the District of Nevada is an appropriate
9 venue, pursuant to 28 U.S.C. § 1391(b)(2), because a substantial part of the events giving rise to
10 the claim for relief are situated in Nevada.

11 17. The United States District Court for the District of Nevada is an appropriate
12 venue, pursuant to 28 U.S.C. § 1400 (a), because Mr. Scott is subject to personal jurisdiction in
13 Nevada.

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16 **FACTS**

17 18. The Work constitutes copyrightable subject matter, pursuant to 17 U.S.C. §
18 102(a)(1).

19 19. Righthaven is the owner of the copyright in and to the Work.

20 20. The Work was originally published on or about August 25, 2010.

21 21. On September 21, 2010, the United States Copyright Office (the "USCO")
22 received Righthaven's official submittal for the registration to the Work, including the
23 application, the deposit copy, and the registration fee (the "Complete Application"), Service
24 Request No. 1-490418008, and attached hereto as Exhibit 3 is the official USCO application
25 submittal for the Work depicting the occurrence of the Complete Application.

26 22. On or about August 27, 2010, Mr. Scott displayed, and continues to display, the
27 Infringement on the Website.
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23. Mr. Scott did not seek permission, in any manner, to reproduce, display, or otherwise exploit the Work.

24. Mr. Scott was not granted permission, in any manner, to reproduce, display, or otherwise exploit the Work.

CLAIM FOR RELIEF: COPYRIGHT INFRINGEMENT

25. Righthaven repeats and realleges the allegations set forth in Paragraphs 1 through 24 above.

26. Righthaven holds the exclusive right to reproduce the Work, pursuant to 17 U.S.C. § 106(1).

27. Righthaven holds the exclusive right to prepare derivative works based upon the Work, pursuant to 17 U.S.C. § 106(2).

28. Righthaven holds the exclusive right to distribute copies of the Work, pursuant to 17 U.S.C. § 106(3).

29. Righthaven holds the exclusive right to publicly display the Work, pursuant to 17 U.S.C. § 106(5).

30. Mr. Scott reproduced the Work in derogation of Righthaven's exclusive rights under 17 U.S.C. § 106(1).

31. Mr. Scott created an unauthorized derivative of the Work in derogation of Righthaven's exclusive rights under 17 U.S.C. § 106(2).

32. Mr. Scott distributed, and continues to distribute, an unauthorized reproduction of the Work on the Website, in derogation of Righthaven's exclusive rights under 17 U.S.C. § 106(3).

33. Mr. Scott publicly displayed, and continues to publicly display, an unauthorized reproduction of the Work on the Website, in derogation of Righthaven's exclusive rights under 17 U.S.C. § 106(5).

34. Mr. Scott has willfully engaged in the copyright infringement of the Work.

1 3. Direct Tucows, and any successor domain name registrar for the Domain, to lock
2 the Domain and transfer control of the Domain to Righthaven;

3 4. Award Righthaven statutory damages for the willful infringement of the Work,
4 pursuant to 17 U.S.C. § 504(c);

5 5. Award Righthaven costs, disbursements, and attorneys' fees incurred by
6 Righthaven in bringing this action, pursuant to 17 U.S.C. § 505;

7 6. Award Righthaven pre- and post-judgment interest in accordance with applicable
8 law; and

9 7. Grant Righthaven such other relief as this Court deems appropriate.
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13 **DEMAND FOR JURY TRIAL**

14 Righthaven requests a trial by jury pursuant to Rule 38 of the Federal Rules of Civil
15 Procedure.

16 Dated this twenty-eighth day of September, 2010.
17

18 RIGHTHAVEN LLC
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20 By: /s/ J. Charles Coons
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